United Nations S/AC.39/2003/7

Security Council

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8 August 2003

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Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia

Note verbale dated 5 August 2003 from the Permanent Mission of Norway to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Norway to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia and, with reference to note SCA/1/03(06), has the honour to enclose Norway's report pursuant to paragraph 18 of resolution 1343 (2001) and paragraph 15 of resolution 1408 (2002) on steps taken to implement measures in relevant resolutions.

03-46308 (E) 120803

Annex to the note verbale dated 5 August 2003 from the Permanent Representative of Norway to the United Nations addressed to the Chairman of the Committee

REPORT PURSUANT TO PARAGRAPH 18 OF SECURITY COUNCIL RESOLUTION 1343 (2001) AND PARAGRAPH 15 OF RESOLUTION 1408 (2002) TO THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 1343 (2001) CONCERNING LIBERIA

AND

REPORT RELATED TO THE IMPLEMENTATION OF THE MEASURES ESTABLISHED IN SECURITY COUNCIL RESOLUTION 1478 (2003)

N O R W A Y

I. Introduction

1. Norway remains fully committed to the implementation of the measures established by United Nations Security Council Resolutions 1343 (2001) and 1408 (2002), as well as the measures in resolution 1478 (2003).

II. The sanctions against Liberia - Legal measures

2. Section 1 of Act No. 4 of 7 June 1968[a] relating to the implementation of mandatory decisions of the Security Council provides the legal basis for the King in Council to issue such regulations as are necessary for the implementation of such decisions.

3. The Regulations of 27 November 1992[b] relating to sanctions against Liberia were laid down pursuant to this provision in order to implement the measures established in Security Council Resolutions 1343 (2001), 1408 (2002) and 1478 (2003). Section 1 of the Regulations prohibits the sale or supply of weapons and military equipment to Liberia. Section 2 prohibits the direct or indirect import of all rough diamonds from Liberia. Section 3 implements the ban on import of all round log and timber products originating in Liberia, pursuant to paragraph 17 of resolution 1478 (2003). Section 4 prevents the entry into or transit through Norway of senior members of the Government of Liberia and other individuals as referred to in paragraph 7 of resolution 1343 (2001), and implements further the visa restrictions established pursuant to paragraph 28 of resolution 1478 (2003).

4. Pursuant to Section 2 of the 1968 Act, any wilful or negligent contravention of the Regulations is punishable by imprisonment, fines or both.

III. Contravention of the legal measures

5. The Norwegian authorities concerned are not aware of any contravention of the legal measures described above.

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[a] Enclosure I.
[b] Enclosure II.

Enclosure I

Act No. 4 of 7 June 1968 relating to the implementation of mandatory decisions of the Security Council of the United Nations

§ 1. The King is authorized to take such decisions as are necessary in order to implement mandatory decisions of the Security Council of the United Nations.

The King determines whether a decision of the Security Council is mandatory.

§ 2. Anyone who wilfully contravenes or is wilfully accessory to the contravention of provisions issued pursuant to this Act is liable to fines or to a maximum term of three years' imprisonment or both.

Anyone who through negligence contravenes or is through negligence accessory to the contravention of such provisions as mentioned in the first paragraph is liable to fines or a maximum term of six months' imprisonment or both.

§ 3. Objects which are imported or in regard to which an attempt has been made to import, or exported or in regard to which an attempt has been made to export, in contravention of any provisions issued pursuant to this Act, as well as any means of payment or securities employed in contravention of such provisions, may be confiscated by court order irrespective of ownership and without criminal proceedings being instituted, or the possibility of their being instituted, against any party. If confiscation does not prove possible, the offender or the party on whose behalf he has acted may be ordered by the court to pay an amount equivalent to the partial or entire value of the objects without the necessity or possibility of instituting criminal proceedings against any party.

Confiscation in terms of this provision is not to be considered a penalty.

§ 4. This Act enters into force immediately.

Enclosure II

Regulations of 27 November 1992 No. 879 relating to sanctions against Liberia

Laid down by Royal Decree of 27 November 1992 pursuant to Act of 7 June 1968 No. 4 relating to the implementation of binding decisions of the UN Security Council. Submitted by the Ministry of Foreign Affairs. Amended by Act of 21 February 2002 No. 2 (*inter alia* the title) and Act of 26 June 2003 No. 864 (*inter alia* the title).

Pursuant to Act of 7 June 1968 No. 4 relating to the implementation of binding decisions of the UN Security Council, the following regulations have been laid down for the implementation of Security Council resolution 1343 of 7 March 2001, Security Council resolution 1408 of 6 May 2002 and Security Council resolution 1478 of 6 May 2003.

§ 1.

1. It is prohibited for any Norwegian legal person or any person who is present in Norwegian territory to sell or supply arms and related materiel of all types, including ammunition, military vehicles and other military or paramilitary equipment and spare parts for the aforementioned materiel and equipment, to Liberia. The prohibition also applies to the use of vessels and aircraft registered in Norway.

2. It is prohibited for any Norwegian legal person or any person who is present in Norwegian territory to provide technical training or assistance related to the provision, manufacture or use of such arms, materiel and equipment as are mentioned in subsection 1.

3. Non-lethal military equipment intended solely for humanitarian or protective use is exempted from the prohibitions set out in subsection 1 and subsection 2.

§ 2.

The direct or indirect import of all rough diamonds from Liberia into Norway is prohibited. The prohibition applies regardless of whether or not such diamonds originated in Liberia.

§ 3.

The direct or indirect import of all round logs and timber products originating in Liberia into Norway is prohibited.

§ 4.

1. The entry into or transit through Norway of senior members of the Government of Liberia and its armed forces and their spouses, and any other individuals providing financial or military support to armed rebel groups in countries neighbouring Liberia, is prohibited. The Security Council Sanctions Committee for Liberia has compiled a list of persons subject to

the travel restrictions.[1] The prohibition does not apply to the entry of Norwegian nationals into Norway.

2. The entry into or transit through Norway of any individuals, including members of the LURD (Liberians United for Reconciliation and Democracy), or other armed rebel groups, determined by the Sanctions Committee to be in violation of the UN arms embargo against Liberia is prohibited. The prohibition does not apply to the entry of Norwegian nationals into Norway.

3. The prohibition set out in subsection 1 does not apply to the transit through Norway of representatives of the Government of Liberia to United Nations Headquarters in New York on official UN business, or to their participating in the official meetings of the Mano River Union, ECOWAS and the Organisation of African Unity (OAU).

4. Exemptions from the prohibition set out in subsection 1 may be granted in those cases where the Sanctions Committee considers it to be necessary.

§ 5.

The Ministry of Foreign Affairs is authorised to amend or repeal these regulations.

§ 6.

These regulations enter into force immediately.

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[1] The list of persons subject to the travel restrictions is to be found on the following website: http://www.un.org/Docs/sc/committees/Liberia2/1343_list.htm

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Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia

Note verbale dated 31 July 2003 from the Permanent Mission of Portugal to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Portugal to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia and, in reference to his note verbale, has the honour to inform him of the measures taken by the Portuguese authorities with respect to the sanctions regime imposed by the Security Council against Liberia.

Following the adoption by the Security Council of resolution 1343 (2001), the European Union Council adopted on 11 June 2001 Regulation 1146/2001, which is legally binding on all European Union member States and, therefore, legally binding under Portuguese internal legislation.

Following the adoption by the Security Council of resolution 1478 (2003), the European Union Council adopted on 16 June 2003 a new Regulation 1030/2003 published in the European Union official Journal on 18 June 2003. This Regulation extended the sanctions regime for one more year, and included also a 10-month prohibition on importing all round logs and timber products originating in Liberia. Annexed to the Regulation was the list of diamonds, round logs and timber products subjected to the embargo.

The Portuguese Ministry of Foreign Affairs promoted the dissemination of all the Security Council resolutions and European Union regulations to the official entities in charge, with a view to ensuring their implementation. Besides those resolutions and regulations, the above-mentioned Portuguese entities have the text of the latest European Union Common Position on Liberia, together with the list of names under the visa ban and the list of all products subject to the embargo.

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